

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 13-24 are pending in this application. Claims 13, 16, 19, and 22-24 are amended by the present amendment. As amended Claims 13, 16, 19, and 22-24 are supported by the original claims, no new matter is added.

In the outstanding Official Action, Claims 22-24 were rejected under 35 U.S.C. §102(b) as anticipated by Yoshitaka (Japanese Patent Publication No. 2001-036937). Claims 13-21 were rejected under 35 U.S.C. §103(a) as unpatentable over ARIB TR-T12-27.A02 (hereinafter "ARIB") in view of Yoshitaka.

Applicants and Applicants' representatives thank Examiner Ly for the courtesy of the interview granted to Applicants' representatives on March 3, 2006. During the interview, differences between the claims and Yoshitaka were discussed. Examiner Ly agreed that the arguments presented may overcome the rejection of record. These arguments are presented herewith.

Initially, Claim 13 is amended to recite "transmits to another of said plurality of MTFs and to said TAF handover procedure start notifications that a handover procedure to said another of said plurality of MTFs is started" to provide explicit antecedent basis for "said handover procedure start notification" later recited in this claims. (Claims 16, 19, and 22-24 are amended similarly.) As Claim 13 originally recited "notifications that a handover procedure to said another of said plurality of MTFs is started," Claim 13 (and Claims 16, 19, and 22-24) is not amended to overcome the rejection on the merits. Accordingly, a further rejection of these claims based on newly cited prior art in the next communication **cannot properly be considered a Final Office Action**.

With regard to the rejection of Claim 22 under 35 U.S.C. §102(b) as anticipated by Yoshitaka, that rejection is respectfully traversed.

Amended Claim 22 recites in part, “said voice communication control part, *upon receiving said handover procedure start notification*, pauses a communication between said one of said plurality of wireless channel control parts and said voice communication control part and applies a mute control to said voice CODEC so as not to output a sound.”

The outstanding Office Action cited the stopping of transmission of radio waves *based on the deterioration of the quality of speech* described in Yoshitaka as inherently describing the pausing of a communication.¹ However, Yoshitaka only describes the stopping of transmission based on the deterioration of the quality of speech, not the reception of a handover procedure start notification, as recited in Claim 22. Thus, it is respectfully submitted that the description in Yoshitaka of stopping a transmission of radio waves based on the deterioration of the quality of speech does not inherently teach or even suggest “said voice communication control part, *upon receiving said handover procedure start notification*, pauses a communication between said one of said plurality of wireless channel control parts and said voice communication control part” as recited in Claim 22. Consequently, as Yoshitaka does not teach each and every element of Claim 22, Claim 22 is not anticipated by Yoshitaka and is patentable thereover.

Claims 23 and 24 recite similar subject matter to Claim 22. Accordingly, Claims 23 and 24 are patentable over Yoshitaka for at least the reasons described above with respect to Claim 22.

With regard to the rejection of Claim 13 under 35 U.S.C. §103(a) as unpatentable over ARIB in view of Yoshitaka, that rejection is respectfully traversed.

¹See outstanding Office Action, page 3, lines 8-14.

The outstanding Office Action conceded that ARIB does not teach or suggest "said TAF, upon receiving said handover procedure start notification, pauses a communication with said one of said plurality of MTFs," as recited in Claim 13.² The outstanding Office Action relies on Yoshitaka as describing this feature.³ However, as noted above, the description in Yoshitaka of stopping a transmission of radio waves based on the deterioration of the quality of speech does not inherently teach or even suggest "said TAF, *upon receiving said handover procedure start notification*, pauses a communication with said one of said plurality of MTFs," as recited in Claim 13. Thus, as neither ARIB nor Yoshitaka teach or suggest a TAF as recited in Claim 13, Claim 13 (and Claims 14 and 15 dependent therefrom) is patentable over ARIB in view of Yoshitaka.

Claims 16 and 19 recite similar elements to Claim 13. Accordingly, Claims 16 and 19 (and Claims 17, 18, 20, and 21 dependent therefrom) are patentable over ARIB in view of Yoshitaka for at least the reasons described above.

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.


Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)


Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Edward Tracy
Registration No. 47,998

I:\ATTY\ET\264530US\264530US-AMD5.10.06.DOC

²See outstanding Office Action, page 4, line 14 to page 5, line 4.

³See outstanding Office Action, page 5, lines 20-22.